



the applicable law and found that there is not an enforceable agreement to arbitrate. The Court finds no error of law, newly discovered evidence, or new legal theories that provide a basis to alter the Court's prior determination. Wherefore, the Court **DENIES** Defendants' Motion to Alter or Amend its prior Order.

In addition, Defendants move to stay the proceedings in this case pending resolution of their motion to alter or amend. This Court's ruling herein, denying the motion to alter or amend, renders the motion to stay based on that argument moot. However, Defendants have also filed a Notice of Appeal to the Eighth Circuit regarding this Court's Order denying the motion to dismiss or compel arbitration. The Court finds based on the appeal to the Eighth Circuit this case should be stayed pending resolution of the appeal. As a result, the Court **GRANTS** the motion to stay.

**IT IS SO ORDERED.**

Dated: January 28, 2021

/s/ Douglas Harpool  
**DOUGLAS HARPOOL**  
**UNITED STATES DISTRICT JUDGE**